

Nick Matthews

Subject: Barwood application at Thornbury PT18/6450/O

From: Lizzie Marjoram

Sent: 16 August 2021 10:49

To: Nigel.Riglar@southglos.gov.uk

Cc: Paul G Tucker QC <ptuckerqc@kingschambers.com>; Jamie Gibbins <jamie.gibbins@Barwoodland.co.uk>; Rebecca Mitchell (rebecca.mitchell@barwoodland.co.uk) <rebecca.mitchell@barwoodland.co.uk>; James Causer <james.causer@barwoodland.co.uk>; ben@bsaheritage.co.uk; Peter Richards <prichards@therichardspartnership.co.uk>; Felicity Tozer <FTozer@savills.com>; Nick Matthews <NMatthews@savills.com>; Ben Pycroft <BPycroft@emeryplanning.com>

Subject: Barwood application at Thornbury PT18/6450/O

Dear Nigel

I am instructed as a specialist planning solicitor by Barwood Development Securities Limited. I have been forwarded a copy of your email to Jamie Gibbins dated 29 June 2021 which proposes that the Council carries out further assessment of this application using external expertise.

My client is very disappointed by the further delay in the determination of an application submitted in 2018 not least because it is understood that officers had internally circulated a professional report recommending approval of this application. My clients have queried the openness and transparency of this approach with you and, in the absence of a satisfactory explanation, they have made a FOI request to understand why the Council decided to revisit its consideration of this application and what was the basis of its instruction to external experts.

Barwood has sought a full review of the merits of this application from Leading Counsel Paul G Tucker QC and his advice was that the application has a strong prospect of success at appeal. It would however be our client's firm position that it is preferable to have a local determination.

To that end, I note that the Council has requested an extension of time until 14th October 2021 which would allow enough time for this application to be considered at committee on 14th October. My client is reluctantly agreeable to this course of action. If the application is not considered on that date then my client's instructions are to appeal against non-determination.

Accordingly, if the Council confirms in writing that it will place this item on the agenda for the 14th October 2021 committee then Barwood would be amenable to an extension of time agreed in writing between the parties and, moreover, it would not choose to enact its Planning Guarantee for the unacceptably lengthy delays in determination of this application.

Please would you let me know by the end of this week whether the Council will agree to put the application on the agenda for the 14th October committee and if not, no extension of time would be agreed and I would be instructed to send to the Council and to the Planning Inspectorate the standard formal prior notification of the submission of an appeal to be heard by public inquiry.

Kind regards

Mrs Lizzie Marjoram

Please note I am currently working from home the quickest methods of contact are email or my mobile number 07540 450773

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